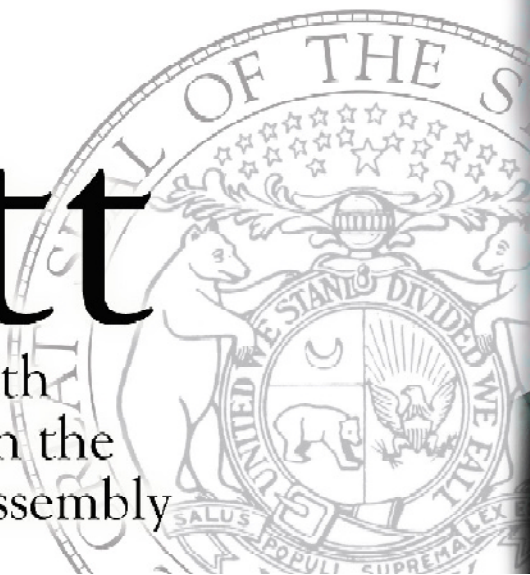


State Senator
**Delbert
Scott**

Representing the 28th
Senatorial District in the
Missouri General Assembly



Legislative Report — Fall 2005

Last November, Missouri voters called upon their state lawmakers for change. I am proud to say that in the first half of the 93rd General Assembly, those elected to the Missouri Legislature delivered those changes.

We reworked the workers' compensation system. The system will continue to protect employees injured on the job, but will shield job providers from fraud and waste that has riddled the system in the past.

Lawsuit reform was passed and signed into law, which means doctors and businesses in Missouri will no longer need to consider leaving the state to afford insurance.

The state now has a new foundation formula for funding education. The new formula guarantees more dollars to our schools, ensuring that our Missouri school children will have an opportunity to receive a world-class education.

In addition, we took action on balancing the state's budget. This ensured that the state will live within its means, thereby avoiding tax increases.

I would like to invite you to visit the Capitol anytime during session. We have had many special guests visit us this session, and we welcome those who visit the Capitol to see the legislature in action.

I would like to take this opportunity to thank you for giving me the privilege to serve in the Missouri Senate—it is a great honor to serve as your voice in Jefferson City.

Sincerely,

A handwritten signature in black ink, appearing to read "Delbert Scott".

Contact Senator Scott:



CAPITOL PHONE: (573) 751-8793
E-MAIL: delbertscott@senate.mo.gov
ONLINE: www.senate.mo.gov/scott



WRITE OR STOP BY:
Capitol Bldg., Rm. 221
Jefferson City, MO 65101

A Brief, Productive Fall Session

Lawmakers' Return to Capitol Protects Human Life

Although largely successful, the 2005 regular legislative session produced a major disappointment for the predominantly pro-life Legislature in the failure to advance life-protecting legislation to the governor's desk.

The Missouri Senate this year drafted and advanced solid legislation protecting the unborn, but groups outside the Capitol ultimately led to the demise of the final package as the regular session drew to a close.

There are three important provisions in the bill advanced in the regular session this spring and ultimately passed by the Senate and House and signed into law this fall. The legislation:

- **Makes civilly liable** persons helping minors obtain abortions without the consent of parents or legal guardians. This is designed to stop the transporting of pregnant minors across the state line to Illinois, which has no parental consent law as Missouri does.
- **Makes clear** that a "next friend" – an individual who helps minors get a court exemption from the parental consent law – cannot be associated with or working for an abortion organization.
- **Requires anyone** performing abortions to have clinical privileges at a hospital that offers obstetrical or gynecological care within 30 miles of the place where the abortions are provided.

These are important steps toward cultivating a culture that values human life and the rights of the unborn.

While the governor's call for the fall session was primarily to secure passage of this important measure, lawmakers also addressed a number of other items, including correcting a drafting error to the workers' compensation reforms passed earlier in the year. While the September changes ensure program integrity, we were unable to gather enough votes for an emergency clause, which would have implemented the law immediately. The changes will



Sen. Scott listens to issues and concerns from a group of constituents in his district.

now take place in December.

Legislators also made a series of minor changes to crime, foster care, alcohol, public record and prescription drug legislation passed this spring.

The General Assembly this fall also adopted a Senate resolution formally opposing a decision by the U.S. Fish and Wildlife Service that requires the U.S. Army Corps of Engineers to release more

water from a dam in South Dakota each spring. The "spring rise" proposal is intended to increase reproduction by endangered birds and fish. However, Missouri farmers will be under a greater threat of flooding due to the higher water levels and river commerce will suffer from the water level drops sure to follow the ill-conceived "spring rises."

Lasting little more than a week, September's special session produced a number of actions that will improve the quality of life for all Missourians.



Sen. Scott with his father, Donovan Scott, in the family hardware and furniture business.

Continuing the Fight Against Meth

Cold and sinus medicines are intended to cure our ailments, but there are people who use the pseudoephedrine found in over-the-counter remedies to produce methamphetamine, an extremely addictive drug that stimulates the central nervous system.

In June, the governor signed legislation that aims to reduce meth production in Missouri. The new law limits the amount of pseudoephedrine-based medicine, such as Sudafed® and Actifed®, that customers can buy and requires that those medications in dry-tablet form be distributed only by pharmacists or licensed technicians. All purchases will be logged for police inspection.

Lighter restrictions apply to medication in gel-capsule or liquid form. The aim is to keep the key ingredients needed to produce meth – ephedrine and pseudoephedrine – out of the hands of meth cooks.

Senate Bill 10 requires drugs containing pseudoephedrine in the tablet form (not gel-cap or liquid form) be purchased from pharmacists. Purchases will be limited to nine grams (commonly three standard packages) per 30-day period.



Sen. Scott talks to local farmers about agricultural issues in his district.

Protecting Children from Sexual Predators

House Bill 972 clarifies the crime of sexual misconduct. A person commits the crime when they expose themselves to a child younger than 14 years old. It also requires lifetime supervision by the Board of Probation and Parole for any person convicted of certain sexual offenses. The crime of violating a condition of lifetime supervision is established as a Class C felony.

Jessica's Law: the Means to Proportionate Justice

Senate Bill 37 modifies various portions of law pertaining to alcohol-related offenses. It was signed into law by Gov. Matt Blunt on July 13, 2005. The bill was drafted in honor of its namesake, 7-year-old Jessica Mann, who was killed along with her grandfather, James Dodson, when they were struck by a legally intoxicated driver outside Dodson's home near Neosho last year.

The act not only increases the penalties for persistent intoxicated drivers, it sends a clear message that drunk driving will not be tolerated in Missouri.

Among other provisions, the bill holds that involuntary manslaughter in the first degree be deemed a Class A, rather than Class C, felony when the driver has a blood-alcohol content of at least .24 and a fatality occurs as a result of the person's vehicle leaving a highway or the highway's right-of-way.

In addition, the bill includes penalties for those who provide alcohol to minors.



Improving the Environment for Economic Growth

Two Important Measures Move Missouri Toward a More Business-friendly Economic Climate.

Lawsuit Reform Bill

Excessive jury awards in civil suit cases such as medical malpractice, wrongful death and product liability cause insurance premiums to rise.

Costly insurance premiums force businesses to move out of state and doctors to stop performing high-risk procedures in Missouri.

Sen. Scott has worked tirelessly over the last several years to reverse this damaging economic and healthcare climate. This year, gaining the support of a governor who promotes job growth, Sen. Scott's tort reform legislation became law, returning a much-needed balance to Missouri's civil liability environment.

The legislation (HB 393):

- Prevents juries from awarding excessively high award amounts by placing a cap on non-economic damages, which are allocated for pain and suffering.
- Prohibits "venue shopping," a practice in which trials are moved to jurisdictions known for awarding plaintiffs with generous amounts.
- Defendants can only be responsible for the economic damages beyond their percentage of liability if the jury determines them to bear at least 51 percent of fault, and the other defendant(s) cannot cover their part.
- Brings about a finer balance between liability and financial responsibility.

Workers' Comp Reform Bill

Missouri enacted its workers' compensation law in 1925 to provide medical treatment and compensation to workers who were injured while on the job.

Passed this spring and streamlined this fall (see page 2), this year's workers' compensation reforms will help employers and Missouri businesses lower their premiums by encouraging a legitimate claim process aimed at reducing fraud and abuse of the system.



Senator Scott looks on as Governor Matt Blunt signs the lawsuit reform bill into law.

The legislation (SB 1/special session SB 4):

- Requires that work be "the prevailing factor" rather than a "substantial factor" in the injury for the worker to receive compensation.
- Does not compensate for injuries incurred while the workers are legally drunk or using illegal drugs.
- Charges anyone who falsifies workers' comp claims with a Class D felony.
- Reduces the amount workers can collect if they are injured while in violation of safety regulations.
- Prevents "get-rich quick" schemes by limiting the amount lawyers can collect.

\$ A Formula for a Good Investment \$

Four Reasons Missouri Schools are Stronger:

1. **Largest School Budget in State History -**

We once again reaffirmed our commitment to make the education of Missouri's children the number-one priority. For the next fiscal year we secured a significant 4-percent increase in our state's education budget, adding \$158 million without raising taxes.

2. **New Foundation Formula -**

We passed a new foundation formula that bases funding on the needs of Missouri school children, not the taxing capacity of the district. The formula provides \$800 million in new annual funding phased in over the next seven years.

3. **Higher Teacher Minimum Salaries -**

Research shows that teacher quality is the leading predictor of student achievement. To retain our quality teachers and to attract new ones, we increased the minimum salary for teachers with a bachelor's degree by \$4,000 and for teachers with a master's degree by \$6,000.

4. **Increased Funding for Parents as Teachers -**

We added \$1 million to the Parents as Teachers Program. The program is offered by each school district and aims to educate parents on how to be their child's best "first" teacher.



Sen. Scott and Rep. Cooper visit with a group of students from Clinton, Missouri.

On Time. Balanced. No New Taxes.

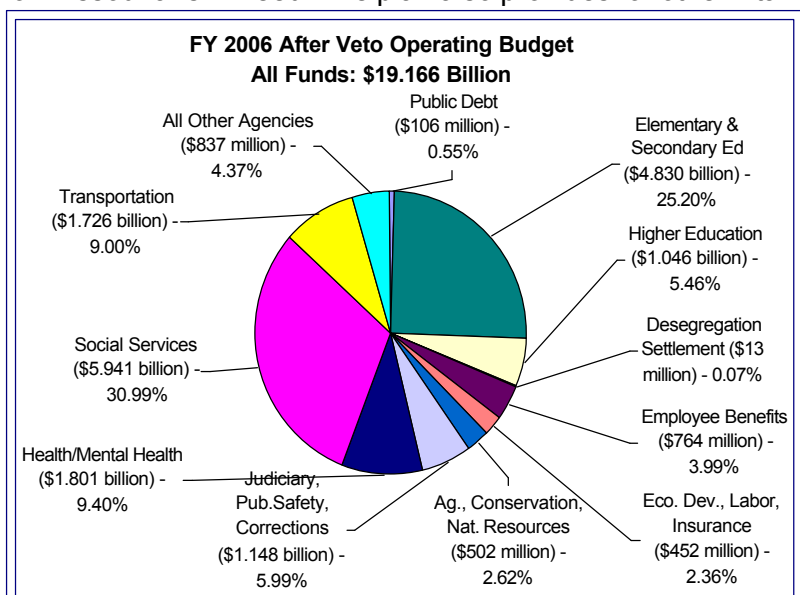
Missouri's 2005-2006 Spending Plan:

Missouri's budget for the fiscal year that began July 1 of this year is an efficient and responsible spending plan. It fulfills the promise of members of the General Assembly to strike a balance between adequate school funding and proper state-sponsored health care for Missourians in need. The plan also provides for other vital interests of Missouri and its citizens without a tax increase.

This \$19.2-billion budget furthers our commitment to Missouri students and protects our most vulnerable citizens. Leading the way in funding is the Department of Social Services and K-12 education.

In the budget for fiscal year 2006, funds for public schools have increased by \$113 million with no cuts in higher education. We have increased funding for the Department of Agriculture by \$1.6 million and will spend \$70 million more on Medicaid than we did during the current fiscal year.

We have drafted a plan that is efficient and appropriate for all Missourians.



From Bill to Law

Noteworthy Legislation Passed by the Senate and House This Year

Adoption – SB 21 places filing fee for adoption petitions in Putative Father Registry Fund.

Adult Entertainment – HB 972 enacts restrictions on adult-oriented businesses.

Bike Safety – SB 372 enacts several bicycle-friendly provisions.

Budget – HBs 1-13 appropriates \$19.2 billion for state programs and services.

Civil Liability – HB 393 prohibits venue shopping, enacts non-economic damage caps, reforms “joint and several liability.”

College Funding – SB 252 affords in-state college tuition status to family members of soldiers stationed in Missouri.

Conceal Carry – HB 365 allows county sheriffs to cover costs of processing concealed weapon permits.

Defense – SB 252 creates the Missouri Military Preparedness and Enhancement Commission.

Defense – HB 437 creates tax check-off for Missouri Military Family Relief Fund.

Drug War – SB 10/HB 441 limits the sale of cold tablets containing pseudoephedrine, a chemical used to produce meth.

Drug War – SB 254 criminalizes distribution and improper possession of prescription medications on school property.

DWI War – SB 37/HB 972 increases penalties for alcohol-related vehicular manslaughter.

Early Education – SB 500 retains and sustains “First Steps” program providing early educational aid for developmentally challenged infants and toddlers.

Economic Development – SB 270 Invest-in-Missouri Act expands range and scope of state’s job-creation and business-expansion loan funds.

Environment – SB 225 revives 50-cent-per-tire fee to help clean up used tire dumps.

Finance – SB 270 expands state’s Linked Deposit Program resources from \$360 million to \$720 million.

Flood Control – SCR 1 (special

session) joint message from Missouri lawmakers calling on Congress to prohibit U.S. Army Corps of Engineers from enacting “spring rises” on the Missouri River.

Government – SB 307 raises amount elected/appointed officials or political subdivision employees can accept for selling, renting, or leasing property to their state agency/political subdivision.

Health Care – SB 518 creates an assistive technology trust fund.

Insurance – HB 119 allows deployed state employees and retirees to retain health insurance.

Jobs – SB 343 provides incentives for businesses looking to relocate to, or expand in, Missouri.

Law and Order – SB 73 allows county law enforcement agencies to post pictures of registered sex offenders online.

Law and Order – HB 353/972 clarifies indecent exposure law; repeals early release of non-violent criminals, strengthens other criminal penalties.

Life – SB 1 (special session) makes civilly liable those helping pregnant minors circumvent parental consent law, enacts clinical privilege requirements for doctors performing abortions and clarifies who can serve as a “next friend” for minors seeking court permission to obtain an abortion.

Local Government – SB 210 changes/expands/contracts structures of several county government offices.

Local Government – SB 507 raises minimum value of property to be inventoried by auditors in larger counties.

Marketing – SB 355 creates the Missouri Wine and Grape Board.

Medicaid – SB 539 revises program eligibility criteria, enacts eligibility checks; makes some services subject to appropriations.

Mediation – SB 168 creates a process to resolve disputes over alleged residential construction defects.

Mental Health – SB 501 creates the “Office of Comprehensive Child Mental Health.”

Name Change – SB 98 changes the

names of several state colleges and universities to better reflect school missions.

Parks Funding – SJR 1 resubmits parks and soils tax to voters every 10 years, beginning in 2006.

Public Health – SB 74 bans all but trace amounts of mercury in vaccines for young children and pregnant women.

Public Health – SB 95 requires lead abatement contractors to maintain liability insurance.

State Retirement – SB 202 ends practice of certain state employees receiving pensions for as little as one day of work.

Sales Tax Relief – HB 64 makes permanent an annual three-day state sales tax holiday.

School Funding – SB 287 formulates state aid to public schools on a base per-pupil amount, with modifiers allowing for varying costs of living.

Tax Relief – HB 229 eases application/expands eligibility for Missouri Homestead Preservation Act.

Telecommunications – SB 237 makes the process of being declared a competitive phone market easier and faster.

Telecommunications – HB 209 requires municipal landline phone taxes be capped at 5 percent; allows municipal franchise taxes on cell phone companies.

Theft – SB 378 allows replacement of up to four stolen license plate tabs each year at no cost.

Underage Drinking – SB 402 strengthens consequences for minors consuming alcohol.

Utility Rates – SB 179 allows utility companies to more easily recover added energy costs.

Voting – HB 353 requires additional identification for persons registering to vote.

Workers’ Compensation – SB 1 (streamlined in special session as SB 4) revises parameters in applying for workers’ compensation benefits to ensure program sustainability.

Fueling Missouri's Economic Development Engine

Invest-in-Missouri Act Creates Opportunities

Sponsored by Sen. Scott and signed into law by Gov. Blunt, Senate Bill 270 includes a package of reforms and incentives to re-attract state deposits to Missouri banks.

The act also will revitalize the state's linked deposit loan program to create jobs, help farmers and boost small business in Missouri. This is a win-win situation for all Missourians in



which we take Missouri money and invest it in Missouri banks to loan out to Missouri citizens to create jobs for Missourians.

The Invest-in-Missouri Act modernizes security collateral requirements for state deposits so they are more like those used by federal banks, which levels the playing field between state and federal banks.



Sen. Scott, flanked by State Treasurer Steelman and fellow legislators, speaks at a press conference after the passage of Senate Bill 270, which strengthens the linked deposit loan program.



Sen. Scott receives much needed help on the senate floor from his grandson, Brandon.

A 'No' to Veto Overrides

Lawmakers Let Minor Vetoes Stand

While meeting in Jefferson City for the brief September special session detailed above, lawmakers also conducted an even shorter veto session, a time set aside each year in which legislators can consider whether to attempt to overturn gubernatorial vetoes – an action requiring a two-thirds vote from both legislative chambers.

Governor Blunt this year vetoed two complete bills (dealing with Ethics Commission reporting requirements) and made line-item vetoes to budget legislation.

Veto override attempts must begin in the chamber where the bill was first introduced. All of this year's vetoed bills originated in the House, which did not advance any override attempts to the Senate.



Part of the enjoyment of being at the Capitol is singing with the Capitol Quartet.

STATE OFFICIALS CONTACT INFORMATION

Unless otherwise noted, the mailing address for the following officials is:
State Capitol, 201 West Capitol Avenue, Jefferson City, MO 65101

Governor Matt Blunt - Room 216.....(573) 751-3222
Lt. Governor Peter Kinder - Room 121.....(573) 751-4727
Secretary of State Robin Carnahan - Room 208.....(573) 751-4936
State Auditor Claire McCaskill - Room 224.....(573) 751-4824
State Treasurer Sarah Steelman - Room 229.....(573) 751-2411
Attorney General Jeremiah W. (Jay) Nixon.....(573) 751-3321
Supreme Court Building, 207 W. High Street, Jefferson City, MO 65101

STATE DEPARTMENTS

All departments can be accessed through
MISSOURI'S STATE GOVERNMENT HOME PAGE
on the World Wide Web: <http://www.mo.gov>

Department of Agriculture - P.O. Box 630, Jefferson City, MO 65102.....(573) 751-4211
Department of Conservation - P.O. Box 180, Jefferson City, MO 65102.....(573) 751-4115
Department of Corrections - P.O. Box 236, Jefferson City, MO 65102.....(573) 751-2389
Department of Economic Development - P.O. Box 1157, Jefferson City, MO 65102.....(573) 751-4962
Dept. of Elementary & Secondary Education - P.O. Box 480, Jefferson City, MO 65102.....(573) 751-4212
Department of Health - P.O. Box 570, Jefferson City, MO 65102.....(573) 751-6001 or (573) 751-6420
Department of Higher Education - 3515 Amazonas Dr., Jefferson City, MO 65109.....(573) 751-2361
Department of Insurance - P.O. Box 690, Jefferson City, MO 65102-0690.....(573) 751-4126
Dept. of Labor & Industrial Relations - 3315 W. Truman Blvd., Jefferson City, MO 65109.....(573) 751-9691
Department of Mental Health - P.O. Box 687, 1706 E. Elm, Jefferson City, MO 65102.....1-800-364-9687
Department of Natural Resources - P.O. Box 176, Jefferson City, MO 65102.....(573) 751-3443
Department of Public Safety - P.O. Box 749, Jefferson City, MO 65102.....1-888-FYI-MDPS
Department of Revenue - P.O. Box 311, Jefferson City, MO 65105.....(573) 751-4450
Department of Social Services - P.O. Box 1527, Jefferson City, MO 65102.....(573) 751-4815
Department of Transportation - P.O. Box 270, Jefferson City, MO 65102.....(573) 751-2551

FEDERAL ELECTED OFFICIALS

UNITED STATES SENATORS

Christopher S. Bond

274 Russell Office Building, Washington, D.C. 20510.....(202) 224-5721; Fax (202) 224-8149

Jim Talent

493 Russell Office Building, Washington, D.C. 20510.....(202) 224-6154; Fax (202) 228-1518

UNITED STATES REPRESENTATIVES

Ike Skelton - District 4 - 2227 Rayburn House Office Building, Washington, D.C. 20515..... (202) 225-2876

Sedalia 319 South Lamine, Sedalia, MO 65301

Roy Blunt- District 7 - 508 Cannon House Office Bldg., Washington, D.C. 20515.....(202) 225-6536

Springfield 2740-B East Sunshine, Springfield, MO 65802

Joplin 302 Joplin Street, Suite 302, Joplin, MO 64801